

1 The Honorable Marsha J. Pechman
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JULIE DALESSIO, an individual,

Plaintiff,

v.

UNIVERSITY OF WASHINGTON, a Washington Public Corporation; Eliza Saunders, Director of the Office of Public Records, in her personal and official capacity; Alison Swenson, Compliance Analyst, in her personal capacity; Perry Tapper, Public Records Compliance Officer, in his personal capacity; Andrew Palmer, Compliance Analyst, in his personal capacity; John or Jane Does 1-12, in his or her personal capacity,

Defendants.

No. 2:17-cv-00642-MJP

UPDATED JOINT STATUS REPORT – RE: DOCKET 88

Pursuant to this Court's April 26, 2018 Minute Entry [Dkt. 88], the parties hereby submit their Joint Status Report.

1. Parties Have Met and Conferred

The parties have conferred regarding discovery in this case pursuant to the Minute Order issued in Docket 88 by this Court.

1 As a preliminary issue, both parties have agreed to withdraw their pending motions or
 2 alternatively the Court may strike the motions *sua sponte*.

3 Plaintiff's Position: Plaintiff will voluntarily withdraw the two pending discovery motions
 4 [Dkt. Nos. 52 and 59]. Based upon the agreement with Defendants, discovery will start over. To
 5 clarify the current state of discovery Plaintiff will serve new discovery requests upon Defendants.
 6 Plaintiff may rely upon evidence already filed with this Court in this case.

7 Defendants' Position: Defendant University of Washington will voluntarily withdraw its
 8 pending motion for summary judgment [Dkt. No. 27] with the intent to file updated dispositive
 9 motions addressing the Amended Complaint at the appropriate time. When Defendants file future
 10 dispositive motions, they may rely on some of the declarations and evidence already filed,
 11 particularly those that remain under seal.

12 2. Issue of Amended Discovery Motion

13 Both parties agree that instead of an amended discovery motion it will be more efficient to
 14 start over to issue new discovery requests that more meaningfully addresses the specific claims
 15 before this Court.

16 Plaintiff's Position: Plaintiff has concerns regarding moving forward with discovery
 17 expeditiously. **First**, since Defendants have not filed an Answer to the Amended Complaint,
 18 Plaintiff has no knowledge of what claims or defenses that Defendants will raise. Without
 19 knowledge of Defendants claims and defenses it is incredibly difficult for Plaintiff to conduct
 20 meaningful discovery. This Court should set a deadline for Defendants to Answer the Amended
 21 Complaint, so that when Plaintiff is making her new discovery requests, she knows what claims
 22 and defenses will be raised from the newly filed answer. **Second**, Plaintiff need to wait to see
 23 what supplemental initial disclosures Defendants will provide based upon the Amended
 24 Complaint. This Court set the deadline for initial disclosures on May 18, 2018 in its Order
 25 Setting Trial Date & Related Dates, in Docket 73. Plaintiff will need to wait until at least May
 26 18, 2018 to compile and serve its new discovery requests. **Third**, the current deadline for filing
 27 motions related to discovery on June 06, 2018, as set in Docket 73, is premature because with
 28 Defendants allowance of thirty (30) days to answer discovery, it will be well past June 06, 2018

1 before Plaintiff knows whether Defendants answers are adequate.

2 The proposed dates for the new discovery requests will be as follows:

3 Supplemental Initial Disclosures (as needed): May 18, 2018.

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5 [Proposed Date] First Set of Interrogatories and Requests for Production of Documents
6 must be served by: June 06, 2018.

7 [Proposed Date] Deadline for completing discovery: July 06, 2018.

8 [Proposed Date] Deadline for filing motions related to discovery: August 06, 2018.

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10 Dated: May 09, 2018

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12 LAW OFFICE OF JOSEPH THOMAS, PLLC

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By: /s/ Joseph Thomas

Jayne L. Freeman, WSBA #49532
Attorney for Plaintiff

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Certificate of Service

2 I hereby certify that on 09 of May, 2018, I filed the foregoing with the Clerk of the Court
3 through the CM/ECF system which will automatically send electronic mail notification of such
4 filing to the CM/ECF registered participants as identified on the Electronic Email Notice List.

/s/ Joseph Thomas
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